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OFFICE OF PETITIONS

In re Application of :
Jack E. Tabaska :
Application No. 10/620,796 : **DECISION ON PETITION**
Filed: July 16, 2003 :
Attorney Docket No. 38-21(52529)B :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed January 29, 2007, to revive the above-identified application.


The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed, May 18, 2006, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on August 19, 2006.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, (2) the petition fee of \$1500; and (3) a proper statement of unintentional delay.

It is not apparent whether the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute the above-identified application. In accordance with 37 CFR 1.34(a), the signature appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he/she is authorized to represent the particular party in whose behalf he/she acts. Telephone inquiries concerning this decision should be directed to April Wise (571) 272-1642.

This application is being referred to Technology Center AU 1631 for appropriate action by the Examiner in the normal course of business on the reply received January 29, 2007.


Irvin Dingle
Petitions Examiner
Office of Petitions